

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARDTHE KROGER CO. OF MICHIGAN,  
Petitioner,

vs.

MONDE DENMARK NISSIN BISCUIT  
CORPORATION,  
Registrant.

Cancellation No. 92043783

RN 2,724,576

Mark: KID-O

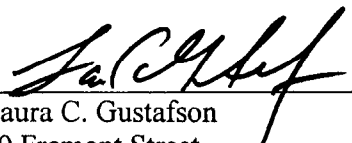
JOINT DISMISSAL OF CANCELLATION

The parties have reached a mutually agreed consent agreement and hereby request dismissal of the above-identified cancellation proceedings without prejudice.

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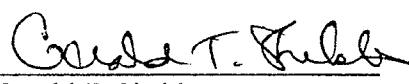
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Attorneys for Petitioner

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06-01-2005

U.S. Patent &amp; TMO/TM Mail Rcpt Dt. #74

Cancellation No. 92043783

PROOF OF SERVICE BY MAIL

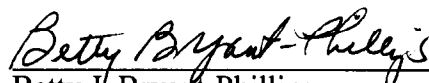
I, Betty J. Bryant-Phillips, the undersigned, hereby declare as follows:

1. I am over the age of 18 years and am not a party to the within cause. I am employed by Pillsbury Winthrop Shaw Pittman in San Francisco, California.
2. My business address is 50 Fremont Street, San Francisco, California 94105-2228. My mailing address is Post Office Box 7880, San Francisco, California 94120-7880.
3. On May 26, 2005, I served a true copy of the attached document titled exactly JOINT DISMISSAL OF CANCELLATION by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Gerald T. Shekleton  
Welsh & Katz, Ltd.  
120 South Riverside Plaza, 22<sup>nd</sup> Floor  
Chicago, IL 60606

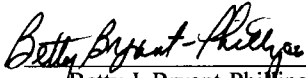
I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26<sup>th</sup> day of May, 2005, at San Francisco, California.

  
Betty J. Bryant-Phillips

CERTIFICATE OF MAILING

Date of Deposit: May 26, 2005. I hereby certify that this **JOINT DISMISSAL OF CANCELLATION** is being deposited with the United States Postal Service under 37 CFR 1.10 on the date indicated above and is addressed to: Attn: TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

  
Betty J. Bryant-Phillips